

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Michelin North America, Inc.,

Plaintiff,

vs.

Sudduth Tire Company, Inc., David  
Obenauer, and Jeanne Sudduth,

Defendant.

Civil Action No. 6:15cv58-HMH

**ORDER OF DISMISSAL**

The Court having been advised by counsel for the parties that the above action has been settled,

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice. If settlement is not consummated within thirty (30) days, either party may petition the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R.Civ.P. In the alternative, to the extent permitted by law, either party may within thirty (30) days petition the Court to enforce the settlement. Fairfax Countywide Citizens v. Fairfax County, 571 F.2d 1299 (4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to enforce the settlement agreement. Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 381-82 (1994).

The dismissal hereunder shall be with prejudice if no action is taken under either alternative within thirty (30) days from the filing date of this order.

IT IS SO ORDERED.

S/Henry M. Herlong, Jr.

Henry M. Herlong, Jr.

Senior United States District Judge

March 16, 2015  
Greenville, South Carolina